

REMARKS

Prior to entry of this amendment, claims 1-15 were pending in the application. Claims 16-24, drawn to non-elected species, have been cancelled without prejudice.

Applicant elected without traverse Group 1, claims 1-15 drawn to a method of making product wraps, in the communication of May 1, 2006.

It is noted that the Examiner did not initial the British reference 666,501 to Dehn, listed as reference OR in the Form PTO-1449 filed December 3, 2004. It is respectfully requested that the Examiner initial such reference and return a copy of the initialed form PTO-1449 with the next action.

Claims 1-15 have been amended and claim 2 has been cancelled. All of the pending claims have been amended to delete reference numbers. Such deletions do not alter the scope of the claims.

Claims 1, 8, 11 and 13 have been amended to overcome the rejections under §112.

No new matter has been added. Indeed, the amendment made to claim 1 directly derives from claim 2 and from the specification as originally filed.

Claim Rejection - 35 U.S.C. 112

Claims 1-15 were rejected under 35 U.S.C. 112, second paragraph.

In order to overcome such rejection, the expression "one point" in claims 1, 8, 11 and 13 has been substituted with the expression "one portion" for better specifying what is meant for "point". Indeed the "easy tear point" is a portion of the wrap wherein the first and the second notch are realized. As it is clearly evident from figures 1, 3 and 5, the arrow designated with 'A' indicates a central zone of the wrap, not a single dot.

Claim Rejection - 35 U.S.C. 103

Claims 1, 2 and 13-15 were rejected under U.S.C. 103(a) as being unpatentable over Daelmans (US5935686) in view of Guidot (EP957043).

Claims 3-12 were rejected under U.S.C. 103(a) as being unpatentable over Daelmans in view of Guidot and further in view of McBean (US2079328).

Claim 1 has been amended to include the steps of generating, on the easy tear portion, a first and a second notch with the second notch intersecting transversely the first notch.

Daelmans discloses a method of making product wraps. As the Examiner stated, Daelmans does not expressly disclose the step of forming an easy tear along the longitudinal edges of the leaf.

Guidot discloses a method of making a product wrap with an easy tear formed along the longitudinal edges of the leaf. However Guidot does not disclose or suggest generating a second notch intersecting transversely the first notch, as required by amended claim 1. Indeed Guidot shows two symmetrical notches/cuts (indicated at 7 and 8, respectively, in Figures 4 and 6), each realized along a respective longitudinal edge of the leaf, or two parallel notches/cuts (indicated at 9 in Figures 8-10, and at 15 in Figure 11) realized along a single longitudinal edge of the leaf.

McBean discloses forming an easy tear along the longitudinal edges of the leaf, but does not disclose or suggest generating a second notch which intersects transversely the first notch, as required in amended claim 1. Indeed McBean discloses a tearing portion comprising two first notches 14 realized along the longitudinal edges of the leaf and a second notch 20, in the form of a projecting tab, which generates a correspondingly shaped notch 22 on the adjacent leaf. The second notch does not intersect transversely the first notch. Rather, the second notch is laterally delimited by the two first notches.

In contrast, amended claim 1 requires generating a second notch which intersects transversely the first notch, as clearly shown in figures 3-6, where second

notch 8 transversely intersects first notch 7. This feature allows an easier opening of the packet. Indeed, as described at page 13, lines 15-20 of the present specification, *"there is no need for the second adhesive bands 5 to be joined so that the first notches 7 are perfectly matched, given that with the addition of the second notch 8 establishing the indentation 12, a tear can be made through both edges of the wrap 1 without difficulty"*. The second notch 8 drives the tear along the first notches 7, allowing the packet to be opened, even if the two first notches 7 are not perfectly overlapped.

By contrast, Guidot teaches overlapping the two longitudinal edges of the leaf making the two notches 7 perfectly match (figures 13-15). McBean, instead, teaches a projecting tab delimited by two lateral notches.

Therefore none of the cited documents, alone or in combination, teach or suggest anything which would prompt the person of ordinary skill in the art to realize the step of creating two intersecting notches which cooperate in tearing the wrap. Thus, even if such references were combined, they do not teach or suggest amended claim 1.

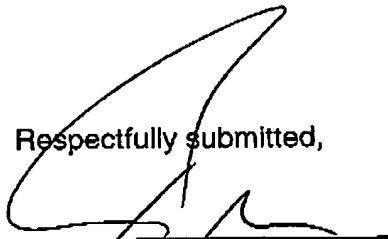
Therefore, claims 1-15 are believed allowable over the art of record.

In view of the foregoing, reconsideration and withdrawal of the above rejections is respectfully requested.

Conclusion

All matters having been addressed above and in view of the pending claims and remarks, Applicant respectfully requests the entry of this Amendment, the Examiners reconsideration of the application, and the timely allowance of the pending claims. Applicants counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy J. Klima', is written over a horizontal line.

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